



COMMUNITY & NEIGHBORHOOD SERVICES COMMITTEE

February 11, 2010

The Community & Neighborhood Services Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on February 11, 2010 at 9:28 a.m.

COMMITTEE PRESENT

Dina Higgins, Chairwoman
Dennis Kavanaugh
Dave Richins

COMMITTEE ABSENT

None

STAFF PRESENT

Alfred Smith
Natalie Lewis

1. Items from citizens present.

There were no items from citizens present.

2. Hear a presentation and discuss the Code Compliance 2009 Annual Report and make recommendations related to plans for future program initiatives.

Development and Sustainability Deputy Director Tammy Albright displayed a PowerPoint presentation (**see Attachment 1**) to provide an updated Code Compliance report for 2009. She stated that the vision of Code Compliance is to enhance the quality of life for Mesa's citizens and to create a sustainable community. Ms. Albright listed the different types of codes that Code Compliance enforces, such as public nuisance issues regarding property maintenance and neighborhood preservation; zoning and signs; environmental codes, which includes swimming pools and may be expanded to include runoff into the streets; residential rental inspections; and construction without permits. She referred to "before and after" photographs of properties addressed by Code Compliance (see pages 2 and 3 of Attachment 1).

Ms. Albright stated that the Staff Map and the CDBG (Community Development Block Grant) Area Map (see page 4 of Attachment 1) reflect the areas covered by seven Code Compliance Officers, six of which are funded by CDBG dollars. She advised that 66 percent of the funding for Code Compliance is from CDBG and must be used in the designated CDBG area, which accounts for 19 percent of the City.

Committeemember Kavanaugh asked if grant funding received by the West Mesa Community Development Corporation (CDC) was impacted by restrictions similar to the Federal government's restrictions on CDBG funds.

Ms. Albright responded that she was unaware of restrictions placed on other grant funds, and that she could only address the restrictions placed on CDBG funds. She said that 52 percent of the Code Compliance cases are generated in the CDBG area as a result of staff's proactive effort in the area.

Responding to a question from Chairwoman Higgins, Ms. Albright advised that areas outside of the CDBG boundaries are offset by General Fund dollars available for Building Inspectors who may also respond to complaints within the CDBG area.

Development and Sustainability Director Christine Zielonka explained that CDBG funding does not address specific full-time employees, and therefore staff has the flexibility to allocate the funds among several individuals.

In response to a question from Chairwoman Higgins, Ms. Zielonka advised that the current CDBG area is based on the 2000 Census and that data from the 2010 Census may not be available for two years. She noted that areas within the City have experienced a great number of changes in the past ten years.

Ms. Albright continued the presentation by explaining the manner in which Code Compliance operates and by providing 2009 facts and figures (see page 6 of Attachment 1). She said that staff responds to complaints in non-CDBG areas, but takes a proactive approach in the CDBG areas to identify problems. Ms. Albright stated that citizens violating the Code are offered alternatives that comply with regulations, and she cited an example where the owner of an illegally parked recreational vehicle (RV) would be advised of a legal location where the RV may be parked and then staff would follow-up to ensure compliance. She further stated that approaches to achieve compliance could include voluntary compliance and civil citations or criminal citations. Ms. Albright reported that each Code Compliance Officer maintains an average of 95 open cases.

Committeemember Richins commended Ms. Albright and her staff for the manner in which Code Compliance issues are being addressed. He said that calls to his office regarding Code Compliance complaints have diminished substantially in recent months.

Responding to a question from Committeemember Kavanaugh, Ms. Albright advised that the average time to respond to a complaint is 3.2 days. She explained that complaints are prioritized and that a low level priority complaint may have a response time of a week or two.

Committeemember Kavanaugh suggested that information be provided on the City's website that explains the priority levels and the manner in which complaints are addressed.

Ms. Albright said that staff would follow through on that suggestion. She continued the presentation by providing an explanation of the types of offenders and the priority list for responding to citizen complaints (see pages 7 and 8 of Attachment 1). Ms. Albright noted that violations related to life safety have the highest priority.

In response to a series of questions from Committeemember Kavanaugh regarding an increasing number of unauthorized construction complaints from his district, Ms. Albright advised that the problem is Citywide. She reported that each inspector receives a list of open or expired permits for their area. Ms. Albright said that completed projects are inspected for

compliance with the Code. She stated that if a project cannot be brought into compliance, a citation would be issued for the violation along with an order to tear down the structure.

Ms. Albright said that nine cases have been opened under the Residential Rental Inspection Program, which was adopted last year. She said that cases included the presence of mold, a pest infestation, an electrical problem, a structural problem and a lack of smoke detectors. She added that in four of the cases the property owners had already taken action to address the problems.

Responding to a question from Committeemember Richins, Ms. Albright advised that the Residential Rental Inspection ordinance appears to be effective. She added that staff would be better able to assess the long-term effectiveness of the ordinance at a later date after handling a larger number of cases.

Ms. Albright reported that in 2009 Code Compliance staff participated in six Pancake Breakfasts and two City Hall at the Mall events. She noted that the Volunteer Sign Team removed 13,227 illegal signs. Ms. Albright acknowledged the efforts of the Marlborough Mesa neighborhood and the West Mesa CDC, and she added that staff has also participated in the Building Strong Neighborhood events. She provided data on the number of cases, property inspections, and violations. (see pages 10 and 11 of Attachment 1). Ms. Albright noted that utilizing Maricopa County probationers for clean-up activities has been very effective

Ms. Albright addressed the future of Code enforcement by outlining proposed programs (see page 12 of Attachment 1).

Committeemember Kavanaugh stated that the Dobson Ranch newsletter recognizes residents who have implemented home and landscape improvements, and he suggested that the City could have a similar program.

Ms. Albright stated that staff would investigate the possibility of providing similar information on a web page. She said that in several instances Code Compliance staff has worked with the Neighborhood Services Department. She cited the example of a Code Compliance Officer arranging for 20 volunteers to assist an elderly resident eliminate Code violations and, when another Code Compliance Officer realized that an elderly resident did not have a hot water heater, he arranged for one to be installed through a program available from Neighborhood Services. Ms. Albright said that in addition to issuing citations, staff identifies opportunities to assist residents.

Ms. Albright stated that Code Compliance would continue to partner with Neighborhood Services as well as seeking other opportunities to utilize volunteers. She advised that staff is attempting to streamline the enforcement methods for various codes, many of which presently employ different methods of enforcement. Ms. Albright said that staff is also preparing a proposal for an Abandoned and Vacant Building Program for Council consideration, which would make the lien holder immediately responsible for the condition of an abandoned property. She added that staff is drafting a proposal to change the nuisance ordinance in order to clarify and strengthen the language. Ms. Albright further stated that another proposal being considered would provide the Hearing Officer greater flexibility with regard to fines, such as enabling the Hearing Officer to allow thirty days for the abatement of a violation after which the fine would be reduced by the amount expended to complete the abatement. She advised that greater

compliance is achieved when cases are heard in civil hearings rather than being designated as "criminal" violations.

Discussion ensued regarding the organizational changes made last year that enable Building Inspectors to enforce codes; that the use of Building Inspectors has proven to be particularly helpful with structural and residential rental inspections; and that the departmental goal is to respond to requests for construction inspections within 24 hours.

Committeemember Kavanaugh noted that homeowners' associations, such as Dobson Ranch, are effective in addressing possible code violations.

In response to a question from Committeemember Richins, Ms. Zielonka advised that staff has had preliminary discussions with the Police Department regarding the possibility of Code Compliance Officers taking photographs of graffiti, which could provide the Police Department with information on gang activity.

Committeemember Richins commented regarding the possibility of utilizing an iPhone application for Code Compliance. He also advised that interns in the Council Office completed a report comparing graffiti ordinances in other Valley cities, and he said that the report would be made available to staff. Committeemember Richins complimented staff for their innovative approach to implementing changes during a period of budget reductions.

Ms. Zielonka noted that staff would continue to seek opportunities to partner with neighborhoods and homeowners' associations.

Chairwoman Higgins thanked Ms. Albright and Ms. Zielonka for the presentation.

3. Adjournment.

Without objection, the Community & Neighborhood Services Committee meeting adjourned at 10:11 a.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Community & Neighborhood Services Committee meeting of the City of Mesa, Arizona, held on the 11th day of February, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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Attachment (1)